

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYMBOLOGY INNOVATIONS, LLC,

Plaintiff,

v.

EATON CORPORATION,

Defendant.

No. 2:17-cv-786-JRG-RSP

PATENT CASE

JURY TRIAL DEMANDED

UNOPPOSED MOTION TO SUBSTITUTE PARTY

Plaintiff Symbology Innovations, LLC (“Symbology”) submits this Unopposed Motion to Substitute Party (“Motion”), and in support thereof states:

1. On December 22, 2017, Symbology filed suit against Eaton Corporation (“Eaton”) alleging infringement of U.S. Patent Nos. 7,992,773; 8,424,752; 8,651,369; and 8,936,190 (the “Asserted Patents”). On February 22, 2018, the Court granted Eaton’s second Unopposed Application for Extension of Time to Answer Complaint, setting Eaton’s deadline to answer, move, or otherwise respond to the Complaint to March 13, 2018.

2. Symbology and Eaton agree to substitute Cooper Bussmann, LLC (“Cooper Bussmann”) as Defendant in the above-captioned matter so that all claims made against Eaton are now made against Cooper Bussmann. Symbology and Eaton agree to dismiss Eaton without prejudice as allowed under Rule 41(a)(2) of the Federal Rules of Civil Procedure.

3. Symbology has not released, and nothing in this Motion should be construed as a release or discharge of, any claim Symbology has or may have in the future against any defendant named in this action or any other asserted infringer of the Asserted Patents. All other rights have been expressly reserved.

4. Cooper Bussmann has not waived, and nothing in this Motion should be construed as a waiver of, any defenses Cooper Bussmann has or may have in the future against any claims in this action. All other rights have been expressly reserved.

Accordingly, Symbology requests that the Court enter an order dismissing Eaton Corporation without prejudice and adding Cooper Bussmann, LLC as Defendant.

Dated: March 8, 2018

Respectfully submitted,

By: /s/ Thomas C. Wright

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**COUNSEL FOR PLAINTIFF
SYMBOLGY INNOVATIONS, LLC**

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that undersigned counsel conferred electronically on February 26, 2018 with counsel for Eaton Corporation and Cooper Bussmann, LLC. Eaton Corporation and Cooper Bussmann, LLC do not oppose the relief sought herein.

/s/ Thomas C. Wright

Thomas C. Wright

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on March 8, 2018, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Thomas C. Wright

Thomas C. Wright